

Appln No.: 10/646,391
Amendment Dated: May 18, 2007
Response to Office Action dated May 1, 2007

REMARKS

This amendment is filed in response to the Official Action mailed May 1, 2007 for the above-referenced application, and is believed to place this application in form for allowance.

Independent claim 14 has been amended to specify that the oligonucleotide therapeutic is "targeted to clusterin, and has a sequence complementary to clusterin-encoding mRNA." This is supported in the statement in the application at Page 2, lines 16-17 about the targeting to clusterin, and in the fact that the sequences disclosed are complementary to the clusterin-encoding mRNA.

Claim 14 is rejected under 35 USC § 112, first paragraph, as lacking written description. The Examiner has explained this rejection stating that "Applicant has not explained what relationship is required between the oligonucleotide and clusterin for the oligonucleotide to be "targeted to clusterin." Applicants have now clarified in claim 14 that the relationship is one of sequence complementarity to the mRNA encoding clusterin. Thus, this basis for the rejection is no longer applicable.

The Examiner also states as a basis for the written description rejection that the broad limitation "targeted to" encompasses aptamers, which have not been described by applicant." It is respectfully pointed out that this is a new basis for the rejection which is **not** dependent on Applicants' amendment, and that the finality of this rejection is improper. Nevertheless, it is believed that the present amendment overcomes the rejection.

It is noted that the term "aptamer" does not refer to a particular mode of action but rather to a selection process for binding. To the extent an oligonucleotide is selected in this manner for interaction with mRNA encoding clusterin, it should reasonably fall within the scope of Applicants' description.

This application is now believed to be in form for allowance, and such action is respectfully requested.

Respectfully submitted,



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